

COTTAGE GROVE CITY COUNCIL  
REGULAR MEETING MINUTES  
DECEMBER 10, 2018

**CALL TO ORDER**

Mayor Jeff Gowing called the meeting to order at 7:00 pm in the Council Chambers at City Hall.

**ROLL CALL/PLEDGE OF ALLEGIANCE**

City Recorder Trudy Borrevik called the roll. The following were

PRESENT: Mayor Jeff Gowing, Councilors Kenneth Michael Roberts, Bob Ehler, Jake Boone, Garland Burback and Greg Ervin

ABSENT: Councilor Mike Fleck

YOUTH  
REPRESENTATIVE: MJ Raade

STAFF PRESENT: City Manager Richard Meyers, City Recorder Trudy Borrevik, Public Works and Development Director Faye Stewart, Finance Director Roberta Likens, Library Director Pete Barrell, Police Chief Scott Shepherd and Municipal Court Judge Martin Fisher

CITY ATTORNEY:

OTHERS PRESENT: Cameron Reiten, KNND Radio and Caitlyn May, The Sentinel

**ITEMS ADDED TO THE AGENDA**

None

**PROCLAMATION AND RECOGNITION OF COTTAGE GROVE HIGH SCHOOL  
VARSITY VOLLEYBALL TEAM**

Mayor Gowing read the Proclamation and recognized the Varsity Volleyball Team and presented them with the Proclamation.

Mayor Gowing presented the Council with a plaque the City received from FEMA and read the information on the plaque.

#### **APPEARANCE OF INTERESTED CITIZENS FOR ITEMS NOT ON THE AGENDA**

Cassandra Washburn, Executive Director of the Oregon Aviation Historical Society and Museum, 2475 Jim Wright Way, and Nadine Kelly, 74824 Conifer Court, from the Cottage Grove Airport Welcome Center, presented the City with a check for \$140 from pilots and aviators who used the City's courtesy car at the Airport in 2018. Cassie talked about the pilot welcome center and courtesy car and thanked the City for providing the courtesy car. Nadine said at the welcome center they had menus from area restaurants and also flyers and information on events in town. She also thanked the City for the courtesy car.

Connie Knighten, 1322 Nikki Place, Cottage Grove, talked about non service dogs in Walmart and what could be done about maintaining that they were service dogs.

The Mayor commented that the Council didn't respond during this time of the agenda. He said there was someone in town that worked with service animals and was working with the Chamber of Commerce to inform businesses of what their rights were regarding service animals.

#### **PUBLIC HEARINGS**

None

#### **CONSENT AGENDA**

- (a) Approval of November 26, 2018 Council Regular Meeting Minutes
- (b) Proclamation Regarding November 6, 2018 General Election

**IT WAS MOVED BY COUNCILOR BURBACK AND SECONDED BY COUNCILOR BOONE TO APPROVE THE CONSENT AGENDA.**

The vote on the motion was as follows:

VOTE	Councilor Roberts	Councilor Ehler	Councilor Boone	Councilor Fleck	Councilor Burback	Councilor Ervin	Mayor Gowing
AYES	X	X	X		X	X	X
NAYS							
ABSTAIN							

## RESOLUTIONS AND ORDINANCES

(a) Ordinance Amending Chapter 13.08 of the Cottage Grove Municipal Code Related to Sewer Regulations in its Entirety

Public Works & Development Director, Faye Stewart, said Chapter 13.08 had been amended multiple times and laws governing sewer collection and wastewater treatment had changed. He said there was multiple staff who worked on the re-write, together with the City Attorney, and it was staff's recommendation to amend Chapter 13.08 in its entirety to reflect current law, operations and procedures. He said staff recommended Council hold the first vote on the Ordinance. He said Councilor Ervin had recommended several minor corrections which were made.

Councilor Boone said overall, from the point of view from a random citizen, what changed in the ordinance.

Faye said for the ordinary person, it didn't really change anything. He said as industry came to Cottage Grove, it allowed the City to implement testing locations and access to test water that went into the sewer system. He explained the Fats, Oil and Grease (FOG) program and how it worked.

**IT WAS MOVED BY COUNCILOR BOONE AND SECONDED BY COUNCILOR ERVIN THAT ORDINANCE NO. 3097 BE ADOPTED.**

The vote on the motion was as follows:

VOTE	Councilor Roberts	Councilor Ehler	Councilor Boone	Councilor Fleck	Councilor Burbach	Councilor Ervin	Mayor Gowing
AYES	X	X	X		X	X	X
NAYS							
ABSTAIN							

Mayor Gowing announced Ordinance No. 3097 would be placed on the next Council Agenda for a second vote.

(b) An Ordinance Amending Section 15.04.040 Adoption; Adding Oregon Specialty Code Appendix J – Grading

Public Works & Development Director, Faye Stewart, said the Building Official recommended that the City adopt the Oregon Specialty Code, Appendix J – Grading, to use within the City's jurisdiction. He explained the City's current permitting procedure and how it would change with the adoption of the specialty code.

Councilor Ervin asked what the reason was for adopting the code in general. Was it to prevent things from happening in the future, or had the City run across situations where if the code would have been adopted, it would have prevented a situation.

Faye said there was a situation currently occurring which triggered the Building Official to recommend the adoption of the specialty code for grading. He used Sunrise Ridge as an example of how the specialty code would be used.

Councilor Ervin asked about the permit fees and if a new schedule would have to be adopted.

Faye said staff hadn't discussed fees but if the code was approved, staff would work on what an appropriate fee was and bring to Council for adoption.

Councilor Burback said he was in favor of adopting the Oregon Specialty Code, Appendix J and said it was a good preventative measure to take.

**IT WAS MOVED BY COUNCILOR BOONE AND SECONDED BY COUNCILOR BURBACK THAT ORDINANCE NO. 3098 BE ADOPTED.**

The vote on the motion was as follows:

VOTE	Councilor Roberts	Councilor Ehler	Councilor Boone	Councilor Fleck	Councilor Burback	Councilor Ervin	Mayor Gowing
AYES	X	X	X		X	X	X
NAYS							
ABSTAIN							

Mayor Gowing announced Ordinance No. 3098 would be placed on the next Council Agenda for a second vote.

(c) Resolution Approving Solid Waste Collection and Disposal Services Rate Increase

Councilor Burback declared a conflict of interest due to the fact his family owns the Cottage Grove Garbage Service and left the Council Chambers.

City Manager, Richard Meyers, said the garbage service had come to the last Council meeting requesting a rate increase and Council had directed staff to prepare a Resolution approving an increase of 4.2%. He said the Resolution was provided to Council for their consideration.

Councilor Ervin said he did some figuring with the new rates and said it was less expensive to use the garbage service then to take your garbage to the Lane County waste facility.

**IT WAS MOVED BY COUNCILOR BOONE AND SECONDED BY COUNCILOR ERVIN THAT RESOLUTION NO. 1975 BE ADOPTED.**

The vote on the motion was as follows:

VOTE	Councilor Roberts	Councilor Ehler	Councilor Boone	Councilor Fleck	Councilor Burbach	Councilor Ervin	Mayor Gowing
AYES	X	X	X		X	X	X
NAYS							
ABSTAIN							

(d) Resolution Transferring Appropriations Within the General Fund

Police Chief, Scott Shepherd, explained that the Resolution was to transfer appropriations within the General Fund for two police items. He said the first was for the purchase of new handguns. He said the department currently issued Glock 21 handguns to the officers, which the night sights were failing on. He said they wanted to replace the Glock 21 with a Glock 17 for cost savings and increased ability with officers with smaller hands for more efficient control.

Councilor Burbach returned to the Council Chambers at 7:31 pm.

He said the other item was to replace the current system to record non-emergency telephone calls which had failed, with Stancil interface software to record the non-emergency calls.

He said the transfer was for \$24,200 from Non-Departmental Contingency to Police Officers Department Materials and Services in the amount of \$13,600 and Capital Outlay Computer Equipment in the amount of \$10,600.

Councilor Roberts asked how old the Glock 21 handguns were.

Chief Shepherd said they were about 12 years old.

Councilor Ervin asked about the phone system and if it was serving all the purposes of the department.

Chief Shepherd said it was operational but was cumbersome and he explained.

Councilor Ervin asked if there was a requirement that the system that the City uses in all the other departments be independent from the police dispatch or would there be additional efficiency gains by using the same overall system.

Chief Shepherd said the police would use the system they currently have for 9-1-1 and radio traffic and would roll over into the non-emergency telephone calls.

Finance Director, Roberta Likens, said the other departments within the City were not recorded. She said the Police Department was a digital system and the rest of the departments were not digital.

Councilor Roberts asked if the Stancil system had firewalls built in.

Chief Shepherd said yes, it had firewalls built in.

**IT WAS MOVED BY COUNCILOR BOONE AND SECONDED BY COUNCILOR EHLER THAT RESOLUTION NO. 1976 BE ADOPTED.**

Councilor Ervin asked if the Stancil system, if the City was to get off analog and go VOIP it was cross compatible with regular phones.

Richard said the City didn't have a need to record calls like the Police Department did. He said the Police Department was kept separately from the rest of the City due to theirs being an emergency system. He said the computer systems were separate as well. He said there were some State requirements to keep LEDS, etc. on separate systems.

Mayor Gowing commented that he wasn't a fan of Glocks but if the officers needed smaller guns, he was in support of the change.

Chief Shepherd commented about the change in handguns and why he thought it was beneficial to the department.

The vote on the motion was as follows:

VOTE	Councilor Roberts	Councilor Ehler	Councilor Boone	Councilor Fleck	Councilor Burback	Councilor Ervin	Mayor Gowing
AYES	X	X	X		X	X	X
NAYS							
ABSTAIN							

### **BUSINESS FROM THE CITY COUNCIL**

(a) Planning Commissioner Appointment Date Change

Public Works & Development Director, Faye Stewart, said at the November 26<sup>th</sup> Council meeting, the Council appointed Harry Sanger to the Planning Commission effective January 1, 2019. He said there was a Planning Commission meeting scheduled for December 19, 2018 and staff was worried that with Mr. Sanger being appointed January 1, 2019, there might not be a quorum for the December 19<sup>th</sup> meeting. Staff was requesting Council to change his appointment date from January 1, 2019 to December 12, 2018.

**IT WAS MOVED BY COUNCILOR BOONE AND SECONDED BY COUNCILOR BURBACK THAT HARRY SANGER BE APPOINTED TO THE PLANNING COMMISSION EFFECTIVE DECEMBER 12, 2018 AND EXPIRING DECEMBER 31, 2020.**

The vote on the motion was as follows:

VOTE	Councilor Roberts	Councilor Ehler	Councilor Boone	Councilor Fleck	Councilor Burbach	Councilor Ervin	Mayor Gowing
AYES	X	X	X		X	X	X
NAYS							
ABSTAIN							

(b) Councilor Subcommittee Appointments

Public Works & Development Director, Faye Stewart, said the Planning Commission had four positions to fill and the Urban Forestry Committee had two positions to fill. He said Council was being asked to appoint a sub-committee to interview applicants for the Planning Commission and Urban Forestry Committee.

Mayor Gowing appointed Councilor Boone, Chair and Councilors Ervin and Roberts for the sub-committee to interview the Planning Commission applicants. He appointed Councilor Ehler, Chair and Councilors Fleck and himself for the sub-committee to interview the Urban Forestry Committee applicants.

(c) 2018 Municipal Court Report

Municipal Court Judge, Martin Fisher, provided his annual report on the Municipal Court which was provided in the Council packet. He said he was happy with the information and feedback they received from the High School regarding the effectiveness of using the Court to tackle the truancy issues that were a problem statewide. He said it seemed they were having a positive impact in Cottage Grove. He said he had also been focused on continuing to make the process more efficient while staying on top of what they needed to. He said they had streamlined the court dates and now had two dedicated, guaranteed Court dates each month.

Councilor Ervin asked about court fees and not being able to establish what fees were being collected and what years they were for. He asked what the Judge saw as a solution.

Judge Fisher said it was a problem that was reoccurring. He said the market for court software was very limited and the current software the court used didn't solve the problem. He explained how a defendant might have numerous charges with numerous fines but only making one monthly payment and how they applied that payment towards the defendant's fines.

Councilor Ervin asked who made the decision as to where the payment was applied.

Judge Fisher said it was mitigated by law and explained.

Councilor Boone thanked Judge Fisher for the report.



Councilor Burback said he sat in Court last week and most of the people he saw in court wouldn't have the ability to pay fines imposed. He said it was hard to collect money from people who had none.

Judge Fisher commented that he didn't assess a fine in 95% of criminal cases due to the fact that they didn't have the ability to pay. He said a large majority of traffic cases were paid in full.

Councilor Ervin asked the Judge if he had a large sum of money at his disposal, where would he invest it to make the largest impact for the purpose of the Court.

Judge Fisher said he would hire a probation officer to oversee defendants to get them to comply with their sentence. He said the Court used to use an independent company who provided probation services at the defendant's expense, but that was no longer available.

(d) Concerns from Council

Councilor Boone said he attended the League of Oregon Cities Strategic Planning and Board Meeting last week. He said the league hired a new director last year and the league was starting to be a force at the State level and be more proactive in issues that matter to cities. He said he was available if anyone had questions about the Board.

Councilor Roberts thanked Councilor Burback for his service on Council. He apologized to the Council for his outburst at the last Council meeting and thanked the Mayor and City Manager for the time to discuss the issue.

Mayor Gowing also thanked Councilor Burback for his service on Council and said he would be missed.

## **BUSINESS FROM CITY MANAGER**

(a) Report from City Manager

City Manager, Richard Meyers, said Habitat for Humanity of Central Lane would be dedicating their third house of the year, two of which were in Cottage Grove. He said the dedication would be Saturday at 10:00 am at 1505 Harvey.

Richard said the City, Cottage Grove Garbage Service and Lane County were working together on a plastic round-up. He said Monday through Thursdays at the Cottage Grove Garbage Service in the Industrial Park from 10:00 am to 3:00 pm, they would be taking #2 bottles, tubs and lids, #4 bottles, tubs and lids and #5 bottles, tubs and lids. He talked about the way recycling had changed over the last several years.

Richard said the Christmas kick-off was a huge success and Santa did a spectacular job.

Richard said on behalf of staff, he thanked Councilor Burback for his years of service on the Council.



Richard said bargaining with the unions had begun and he cautioned Council to not discuss anything with union employees of the bargaining units.

### **BUSINESS FROM CITY ATTORNEY**

(a) Report from City Attorney

None

Mayor Gowing recessed the Council meeting at 8:05 pm to go into Executive Session.

Council reconvened at 8:36 pm.

Mayor Gowing recessed the Council meeting at 8:38 pm to go into Executive Session.

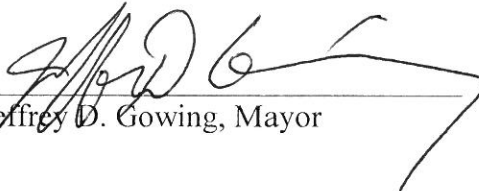
Council reconvened at 9:11 pm.

### **ADJOURNMENT**

There being no further business, Mayor Gowing adjourned the regular meeting of the City Council at 9:11 pm.

The next regular City Council Meeting will be held January 14, 2019, at 7:00 p.m. in the Council Chambers at City Hall.

  
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Trudy Borrevik, City Recorder

  
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Jeffrey D. Gowing, Mayor